



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty's Docket: YAMAUCHI3B

In re Application of: ) Confirmation No. 3087  
Tsuyoshi YAMAUCHI )  
Application No.: 10/821,973 ) Application Division  
Filing Date: April 12, 2004 ) Washington, D.C.  
For: CRYSTALS OF A VITAMIN D DERIVATIVE ) September 15, 2004  
AND A METHOD FOR THE PREPARATION... )

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

The present communication is in response to the "NOTICE TO FILE CORRECTED APPLICATION PAPERS" dated June 25, 2004.

- [XX] Attached hereto as required by the Notice is/are:  
[XX] 4 substitute drawing sheets (Figures 1-4) in compliance with 37 C.F.R. §1.84.  
[XX] Substitute specification [41 pages].  
[ ] Applicant claims small entity status. See 37 C.F.R. §1.27.  
[XX] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. §1.136(a). The appropriate fee required by 37 C.F.R. §1.17 is calculated as shown below:

Small Entity  
Response Filed Within

[ ] First - \$ 55.00  
[ ] Second - \$ 210.00  
[ ] Third - \$ 475.00  
[ ] Fourth - \$ 740.00  
[ ] Fifth - \$1005.00

month after time period set

Other Than Small Entity  
Response Filed Within

[XX] First - \$ 110.00  
[ ] Second - \$ 420.00  
[ ] Third - \$ 950.00  
[ ] Fourth - \$1480.00  
[ ] Fifth - \$2010.00

month after time period set

- [XX] Conditional Petition for Extension of Time:  
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.  
[XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$110.00 is enclosed to cover the above fees.  
[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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BROWDY AND NEIMARK, P.L.L.C.  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: YAMAUCHI=3B

In re Application of:	)	Art Unit: 1614
	)	
Tsuyoshi YAMAUCHI	)	Examiner:
	)	
Appln. No.: 10/821,973	)	Washington, D.C.
	)	
Filed: April 12, 2004	)	Confirmation No. 3087
	)	
For: CRYSTALS OF A VITAMIN	)	September 14, 2004
D DERIVATIVE AND A METHOD...	)	

REPLY: RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION

Customer Window, Mail Stop Missing Parts  
Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:

Replying to the Notice to File Corrected Application  
Papers mailed June 25, 2004, please enter the substitute  
specification submitted herewith.

It is believed that this substitute specification  
conforms to the requirements of 37 CFR 1.52 (b).

Accordingly, it is respectfully submitted that the  
subject application is in condition for examination, and  
prompt and favorable consideration are hereby requested.

Respectfully submitted,  
BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant

By

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YUAS #



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/821,973	04/12/2004	Tsuyoshi Yamauchi	YAMAUCHI=3B

001444

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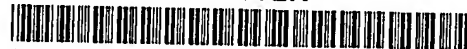
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BROWDY AND NEIMARK  
WASHINGTON, D.C. 20004

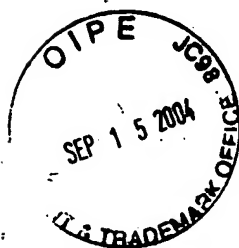
CONFIRMATION NO. 3087

FORMALITIES LETTER



\*OC000000013068533\*

Date Mailed: 06/25/2004



## NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

MSP: 23 AU 2004

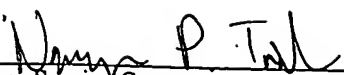
An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
  - The line spacing on the specification, claims, or abstract is not 1½ or double spaced (see 37 CFR 1.52(b)).
- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 3.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

A copy of this notice **MUST** be returned with the reply.

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY